

From: Urban, Amanda
Sent: Thursday, February 23, 2023 12:11 PM
To: Norman Bernstein
Cc: Ohl, Matthew; Neighbors, Katie; Knox, Corey S CIV (USA); Clabaugh, William B CIV USARMY CELRL (USA); pracher@psrb.com; Bob Glazier; Julie Konzuk; Andrew A Gremos; Grimm, Jennifer J CIV USARMY CEHNC (USA); Grayson, William L CIV USARMY CELRL (USA)
Subject: RE: Third Site DNAPL Containment Area Sample Results

Norm,

There has never been any lack of clarity regarding EPA's complete non-involvement in your decision to retain your contractor's equipment onsite.

Per the letter attached to your email, EPA stated only that further ERH treatment would be the most likely approach to quickly and effectively achieve cleanup standards and that a particular type of equipment could be used to effect ERH treatment. Any action taken on the Trustees' part with regard to their contractors' specific equipment was of their own volition.

Regards,
Amanda Urban
Associate Regional Counsel
Region 5, U.S. EPA
312-353-4331
77 West Jackson Blvd.
Chicago IL 60605

From: Norman Bernstein <nwbernstein@nwblc.com>
Sent: Monday, February 20, 2023 3:11 PM
To: Urban, Amanda <urban.amanda@epa.gov>
Cc: Ohl, Matthew <ohl.matthew@epa.gov>; Neighbors, Katie <kneighbo@idem.IN.gov>; Knox, Corey S CIV (USA) <Corey.S.Knox@usace.army.mil>; Clabaugh, William B CIV USARMY CELRL (USA) <William.B.Clabaugh@usace.army.mil>; pracher@psrb.com; Bob Glazier <RGlazier@geosyntec.com>; Julie Konzuk <JKonzuk@geosyntec.com>; Andrew A Gremos <agremos@ramboll.com>; Grimm, Jennifer J CIV USARMY CEHNC (USA) <Jennifer.J.Grimm@usace.army.mil>; Grayson, William L CIV USARMY CELRL (USA) <William.L.Grayson@usace.army.mil>
Subject: Re: Third Site DNAPL Containment Area Sample Results

Amanda

Thank you for your email of Feb. 17, 2023 clarifying that EPA takes no position on the return of the McMillan ERH equipment. This clarification is helpful because in the past Matt Ohl suggested that that equipment could be used to implement a resumption of ERH at Third Site. See the attached. Obviously, if the equipment was not at the site it could not be so used.

Norm

On Fri, Feb 17, 2023 at 12:09 PM Urban, Amanda <urban.amanda@epa.gov> wrote:

Norm,

EPA has never required, directed, or asked Trustees to hold onto McMillan's equipment or to otherwise "not release it." Nor have we indicated that Trustees should do so. Whatever Trustees chooses to do with its own contractor's equipment is the responsibility of Trustees.

Thanks

Amanda

From: Norman Bernstein <nwbernstein@nwblc.com>

Sent: Friday, February 17, 2023 10:47 AM

To: Ohl, Matthew <ohl.matthew@epa.gov>

Cc: Urban, Amanda <urban.amanda@epa.gov>; Neighbors, Katie <kneighbo@idem.IN.gov>; Knox, Corey S CIV (USA) <Corey.S.Knox@usace.army.mil>; Clabaugh, William B CIV USARMY CELRL (USA) <William.B.Clabaugh@usace.army.mil>; pracher@psrb.com; Bob Glazier <RGlazier@geosyntec.com>; Julie Konzuk <JKonzuk@geosyntec.com>; Andrew A Gremos <agremos@ramboll.com>; Grimm, Jennifer J CIV USARMY CEHNC (USA) <Jennifer.J.Grimm@usace.army.mil>; Grayson, William L CIV USARMY CELRL (USA) <William.L.Grayson@usace.army.mil>

Subject: Re: Third Site DNAPL Containment Area Sample Results

Matt

Regarding the Third Site DNAPL area, a question has been raised as to whether EPA will permit the Trustees to release back to McMillan its ERH related field equipment.

Please advise whether the Trustees may release that equipment back to McMillan.

Thanks

Norm Bernstein

On Wed, Feb 1, 2023 at 4:06 PM Ohl, Matthew <ohl.matthew@epa.gov> wrote:

Good afternoon Norm,

The United States Environmental Protection Agency in consultation with the Indiana Department of Environmental Management does not agree with averaging the data from P-1, P-2 and P-3 to show compliance.

Thank you,

Matt

Matthew J. Ohl
Remedial Project Manager
United States Environmental Protection Agency
77 West Jackson Boulevard, SR-6J
Chicago, IL 60604-3590

phone: 312.886.4442

fax: 312.692.2447

e-mail: ohl.matthew@epa.gov

From: Norman Bernstein <nwbernstein@nwblc.com>

Sent: Thursday, January 26, 2023 8:44 PM

To: Andrew A Gremos <agremos@ramboll.com>

Cc: Ohl, Matthew <ohl.matthew@epa.gov>; Urban, Amanda <urban.amanda@epa.gov>; Neighbors, Katie <kneighbo@idem.IN.gov>; Knox, Corey S CIV (USA) <Corey.S.Knox@usace.army.mil>; Clabaugh, William B CIV USARMY CELRL (USA) <William.B.Clabaugh@usace.army.mil>; pracher@psrb.com; Bob Glazier <RGlazier@geosyntec.com>; Julie Konzuk <JKonzuk@geosyntec.com>

Subject: Re: Third Site DNAPL Containment Area Sample Results

Matt:

The Trustees and Ramboll have interpreted the obligation to treat the Third Site DNAPL area so that the sump, P-1, P-2 and P-3 all had to achieve 90% reduction in total VOCs in groundwater. Thus, because the results from P-1 in the November 30/December 1, 2022 exceeded the target of 4,285 ug/L, compliance had not been achieved. A question has now arisen as to whether instead the data from P-1, P-2, and P-3 can be averaged, so that the

November 30/December 1, 2022 sampling results should be construed as showing compliance. Does EPA agree that the data from P-1, P-2 and P-3 may be averaged?

Thanks

Norman W. Bernstein

On Tue, Dec 27, 2022 at 3:02 PM Andrew A Gremos <agremos@ramboll.com> wrote:

Matt,

Attached are a laboratory analytical report and data summary table for the water samples collected from P-1, P-2, P-3, and the Sump in the DNAPL Containment Area at Third Site on November 30-December 1. Dup-01 is a duplicate sample for the P-1 sample location. In addition to the duplicate sample, other QA/QC samples collected included two equipment blanks, a trip blank, and decontamination water sample. As shown in the laboratory analytical report, none of these QA/QC samples contained a detectable VOC concentration.

Ramboll has completed data validation for the water samples. The analytical data are usable for their intended purpose as qualified in the data summary table. Please let me know if you have any questions.

Best Regards,

Andrew A Gremos LPG CHMM

Principal

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non responsive -personal privacy information

agremos@ramboll.com

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Norman W. Bernstein

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